

Preliminary Report of Actions
State Board of Education
Wednesday, July 7, 2004

California Department of Education
1430 N Street, Room 1101
Sacramento, California

Members Present

Ruth E. Green, President
Glee Johnson, Vice President
Reed Hastings
Joe Nuñez
Johnathan Williams
Brent Godfrey

Members Absent

Don Fisher
Ruth Bloom
Jeannine Martineau
Bonnie Reiss
Suzanne Tacheny

Call to Order. 9:06 a.m.

Approval of Minutes (May 2004 Meeting)

- **ACTION:** Mr. Hastings moved to approve the minutes for the May 2004 with minor corrections. Mr. Godfrey seconded the motion. The motion was approved by unanimous vote of the members present.

ITEM 1	STATE BOARD PROJECTS AND PRIORITIES. Including, but not limited to, future meeting plans; agenda items; State Board office budget; staffing, appointments, and direction to staff; declaratory and commendatory resolutions; update on litigation; bylaw review and revision; review of the status of State Board-approved charter schools as necessary; and other matters of interest.	INFORMATION ACTION
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No action taken.

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ITEM 2	PUBLIC COMMENT. Public Comment is invited on any matter not included on the printed agenda. Depending on the number of individuals wishing to address the State Board, the presiding officer may establish specific time limits on presentations.	INFORMATION
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Speakers

Patrick Wilson
Teresa Piña, parent, Indio/Rosalyn Charter
Lois Lambert, teacher, Indio/Rosalyn Charter School

Information only. No action taken.

ITEM 3	Seminar: K-8 Instructional Materials and the Adoption Process.	INFORMATION
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Speakers

Sherry Skelly Griffith, Association of California School Administrators
Martha Zaragosa-Diaz, Californians Together Coalition

Information only. No action taken.

Break: 10:52 a.m. – 11:05 a.m.

ITEM 4	Report of the Curriculum Development and Supplemental Materials Commission.	INFORMATION ACTION
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Speaker

Mike Contino, California Mathematics Council

No action taken.

Proposed Consent Items (Items 17, 18, 19, 25, 26, 27, 28, 29, 30, 34, 35, and 36)

ITEM 17	<i>No Child Left Behind (NCLB) Act of 2001:</i> Title I Committee of Practitioners: Appointment of Members.	INFORMATION ACTION
ITEM 18	<i>No Child Left Behind (NCLB) Act of 2001:</i> Approve Additional Supplemental Educational Service Providers for the List of 2004-05 School Year Providers.	INFORMATION ACTION
ITEM 19	<i>No Child Left Behind (NCLB) Act of 2001:</i> Approve Local Educational Agency Plans (Title I Section 1112).	INFORMATION ACTION

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ITEM 25	Mathematics and Reading Professional Development Program (AB 466): Approve Local Educational Agencies' (LEAs) Reimbursement Requests.	INFORMATION ACTION
ITEM 26	Mathematics and Reading Professional Development Program (AB 466) (Chapter 737, Statutes of 2001): Including, but Not Limited to, Approval of Training Providers and Training Curricula.	INFORMATION ACTION
ITEM 27	Principal Training Program (AB 75): Approval of the Interim Report for the Legislature.	INFORMATION ACTION
ITEM 28	The Principal Training Program (AB 75): Approval of Training Providers.	INFORMATION ACTION
ITEM 29	The Principal Training Program (AB 75): Approval of Local Educational Agencies (LEAs) and Consortia Applications for Funding.	INFORMATION ACTION
ITEM 30	Consolidated Applications 2003-2004: Approval.	INFORMATION ACTION
ITEM 34	Assignment of Numbers for Charter School Petitions.	INFORMATION ACTION
ITEM 35	Determination of Funding Requests from Charter Schools Pursuant to Senate Bill (SB) 740 (Chapter 892, Statutes of 2001), Specifically <i>Education Code</i> Sections 47612.5 and 47634.2, and <i>California Code of Regulations</i> , Title 5 Sections 11963 to 11963.6, Inclusive: Approval for 2003-04 (and Beyond).	INFORMATION ACTION
ITEM 36	Charter Schools: Request by Leadership Public Schools – San Rafael (LPSSR) to Postpone Opening and Set New Dates for Meeting State Board of Education Conditions.	INFORMATION ACTION

- ACTION: Mr. Hastings moved that the Board approve the staff recommendations under Items 17, 18, 19, 25, 26, 27, 28, 29, 30, 34, 35, and 36. Mr. Williams seconded the motion. The motion was approved by unanimous vote of the members present.

ITEM 5	Information Regarding the National Assessment of Educational Progress (NAEP).	INFORMATION ACTION
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Presenters

Charles Smith, Executive Director of the National Assessment Governing Board
Stephen Lazer, Vice President, Assessment ETS

No action taken.

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ITEM 6	Assessment: Review Draft Matrix of Test Variations, Accommodations, and Modifications for Administration of California Statewide Assessments.	INFORMATION
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Information only. No action taken.

ITEM 7	Standardized Testing and Reporting (STAR) Program: Including, but Not Limited, to Program Update.	INFORMATION ACTION
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No action taken.

ITEM 8	Standardized Testing and Reporting (STAR) Program: Approve Commencement of the Rulemaking Process for Proposed Amendments to Title 5 Code of Regulations	INFORMATION ACTION
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- ACTION: Mr. Hastings moved that the Board (1) approve the commencement of the regulatory process for proposed regulations regarding the STAR Program, with technical modifications that may be identified and incorporated by staff, subject to the approval of the Executive Director of the State Board, and direct staff to commence the rulemaking process; (2) approve the Initial Statement of Reasons and the Notice of Proposed Rulemaking with any necessary technical modifications; and (3) direct CDE staff to conduct a public hearing on the proposed regulations. Mr. Nunez seconded the motion. The motion was approved by unanimous vote of the members present.

ITEM 9	California English Language Development Test (CELDT): Including, but Not Limited to, Update on CELDT Program.	INFORMATION ACTION
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Information only. No action taken.

ITEM 10	California English Language Development Test (CELDT): Adopt Amendments to Title 5 Regulations.	INFORMATION ACTION
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- ACTION: Mr. Hastings moved to (1) direct staff to send out the revised proposed regulations for the CELDT for a 15-day public comment period; (2) if no objections to the revisions to the regulations are received during the 15-day public comment period, direct staff to complete the rulemaking package and submit it to the Office of Administrative Law for approval; and (3) if objections to the revisions to the regulations are received during the 15-day public comment period, direct staff to place the regulations on the Board's September agenda. Mr. Williams seconded the motion. The motion was approved by unanimous vote of the members present.

ITEM 11	California High School Exit Examination (CAHSEE): Including, but Not Limited to, CAHSEE Program Update	INFORMATION ACTION
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No action taken.

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ITEM 12	California High School Exit Exam (CAHSEE): Approve Commencement of the Rulemaking Process for Amendments to Title 5 California Code of Regulations.	INFORMATION ACTION
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- ACTION: Mr. Hastings moved that the Board (1) approve the commencement of the regulatory process for proposed regulations regarding the California High School Exit Exam, with technical modifications that may be identified and incorporated by staff, subject to the approval of the Executive Director of the State Board, and direct staff to commence the rulemaking process; (2) approve the Initial Statement of Reasons and the Notice of Proposed Rulemaking with any necessary technical modifications; and (3) direct CDE staff to conduct a public hearing on the proposed regulations. Mr. Nunez seconded the motion. The motion was approved by unanimous vote of the members present.

Lunch Break: 12:33 p.m.–1:35 p.m.

ITEM 13	Alternative Schools Accountability Model (ASAM): Public Hearing and Adoption of Performance Standards for the ASAM Performance Indicators.	INFORMATION ACTION PUBLIC HEARING
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Public Hearing: Open. 1:46 p.m.

Speakers

Sherry Skelly Griffith, Association of California School Administrators
Jacqueline Flowers, San Joaquin County Office of Education

Public Hearing: Closed. 1:48 p.m.

- ACTION: Mr. Godfrey moved that the Board adopt the performance standards for the Alternative School Accountability Model performance indicators, as recommended by staff. Mr. Hastings seconded the motion. The motion was approved by unanimous vote of the members present.

ITEM 14	<i>No Child Left Behind (NCLB) Act of 2001:</i> Including, but Not Limited to, Updates on the Status of Ed-Flex/Timeline Waiver and California's Proposed Amendments to the State Accountability Workbook.	INFORMATION ACTION
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No action taken.

[Item 16 was heard before Item 15.]

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ITEM 16	<i>No Child Left Behind (NCLB) Act of 2001: Teacher Requirements: Adopt Title 5 Regulations.</i>	INFORMATION ACTION
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- ACTION: Mr. Nunez moved to adopt the proposed regulations regarding Teacher Requirements under NCLB and direct staff to complete the rulemaking package and submit it to the Office of Administrative Law for approval. Mr. Williams seconded the motion. The motion was approved by unanimous vote of the members present.

ITEM 15	<i>No Child Left Behind (NCLB) Act of 2001: Title IX Persistently Dangerous Public Elementary and Secondary Schools: Adopt Title 5 Regulations.</i>	INFORMATION ACTION
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Action postponed to September.

[Items 17-19 were acted on earlier in the meeting under Proposed Consent.]

ITEM 20	High Priority Schools Grant Program: Approval of Definition of "Significant Growth."	INFORMATION ACTION
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- ACTION: Mr. Hastings moved to (1) approve Option 1, positive growth on the schoolwide API, for the definition of significant growth for the High Priority Schools Grant Program, as recommended by staff; and (2) direct staff to bring regulations to implement the definition to the Board in September. Mr. Nunez seconded the motion. The motion was approved by unanimous vote of the members present.

ITEM 21	Advisory Commission on Special Education: Report on Activities.	INFORMATION
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Information only. No action taken.

ITEM 22	Special Education: Adopt Title 5 Regulations (Sections 3088.1 and 3088.2 Regarding Withholding Funds to Enforce Special Education Compliance.	INFORMATION ACTION
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- ACTION: Mr. Nunez moved to (1) direct staff to send out the revised proposed regulations regarding Withholding Funds to Enforce Special Education Compliance for a 15-day public comment period; (2) if no objections to the revisions to the regulations are received during the 15-day public comment period, direct staff to complete the rulemaking package and submit it to the Office of Administrative Law for approval; and (3) if objections to the revisions to the regulations are received during the 15-day public comment period, direct staff to place the regulations on the Board's September agenda. Ms. Johnson seconded the motion. The motion was approved by unanimous vote of the members present.

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ITEM 23	Approve Commencement of the Rulemaking Process for School Bus and School Pupil Activity Bus Lap/Shoulder Belt Regulation.	INFORMATION ACTION
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- ACTION: Mr. Hastings moved to (1) approve the commencement of the regulatory process for proposed regulations regarding School Bus Lap/Shoulder Belts, with technical modifications that may be identified and incorporated by staff, subject to the approval of the Executive Director of the State Board, and direct staff to commence the rulemaking process; (2) approve the Initial Statement of Reasons and the Notice of Proposed Rulemaking with any necessary technical modifications; and (3) direct CDE staff to conduct a public hearing on the proposed regulations. Mr. Williams seconded the motion. The motion was approved by unanimous vote of the members present.

ITEM 24	Mathematics and Reading: Professional Development Program (AB 466): Adopt Title 5 Regulations.	INFORMATION ACTION
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- ACTION: Mr. Williams moved to direct staff to send out the revised proposed regulations for the AB 466 Mathematics and Reading Professional Development Program with the modification requested by the Board for a 15-day public comment period and bring the revised proposed regulations to the Board for action at the September meeting. Ms. Johnson seconded the motion. The motion was approved by unanimous vote of the members present.

[Items 25-30 were acted on earlier in the meeting under Proposed Consent.]

ITEM 31	English Learner Advisory Committee: Appointment of Members.	INFORMATION ACTION
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- ACTION: Ms. Johnson moved to appoint David Carr and Sylvia Gillingrud to the English Learner Advisory Committee for terms commencing June 1, 2004. Mr. Nuñez seconded the motion. The motion was approved by unanimous vote of the members present.

ITEM 32	Child Nutrition Advisory Council: Appointment of Members.	INFORMATION ACTION
ITEM 33	Advisory Commission on Charter Schools: Appointment of Member.	INFORMATION ACTION

Items 32 and 33 postponed to a future meeting.

[Items 34-36 were acted on earlier in the meeting under Proposed Consent.]

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ITEM 37	Charter Schools: Request by the Edison Charter Academy to Expand from a K-5 to a K-7 School.	INFORMATION ACTION
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- ACTION: Mr. Hastings moved to approve the request by the Edison Charter Academy to add a 6th and 7th grade component to the existing K-5 program, as recommended by staff. Mr. Williams seconded the motion. The motion was approved by unanimous vote of the members present.

Adjournment of Day's Session. 2:45 p.m.